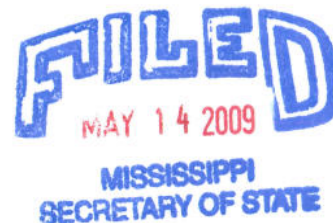


NOTICE OF RULE ADOPTION – FINAL RULE

STATE OF MISSISSIPPI  
MS State Department of Health



MS State Department of Health  
c/o Vickey Maddox  
P. O. Box 1700  
Jackson, MS 39215-1700

601-364-1100  
Telephone Number

Vickey.Maddox@msdh.state.ms.us  
Email Address

Date Rule Proposed: 5 March 09  
Date Rule Adopted: 8 April 09

Specific Legal Authority Authorizing the promulgation  
of Rule: §43-20-8(1)(a)

Reference to Rules repealed, amended or suspended by  
the Final Rule: Regulations Governing Licensure of Child  
Care Facilities

**Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:** The first amendment changes the requirements for a "Temporary License" to be issued by the Department. The second amendment clarifies the requirements regarding criminal history records checks, sex offender record checks, and child abuse central registry checks. In addition, it sets time limits as to when the required documents have to be submitted to the proper agencies. Further, it extends the expiration date of the Letter of Suitability for employment under certain circumstances. The third amendment requires all licensed child care facilities to have an outdoor playground area. The amendment provides for "grandfathering" existing licensed facilities that do not have an outdoor playground area.

**The Agency Rule Making Record for this rule including any written comment(s) received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.**

X An oral proceeding was held on this rule:  
Date: 1 April 2009  
Time: 2:00 p.m.  
Place: 570 E Woodrow Wilson Blvd., Jackson, MS

☐ An oral proceeding was not held on this rule.

**The Agency has considered the written comments and the presentations made in any oral proceedings, and:**

- X This rule as adopted is without variance from the proposed rule.
- ☐ This rule as adopted differs from the proposed rule, as there are minor editorial changes, which affect the form rather than the substance of the rule.
- ☐ This rule as adopted differs from the proposed rule and all of the following apply:
- The differences are within the scope of the matter in the notice of proposed rule adoption,
  - The differences are a logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
  - The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Final Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: 1 July 2009

Vickey Maddox, Office Director  
Printed Name/Title of Person Submitting Rule for Filing

Vickey J. Maddox  
Signature